United Nations A/AC.109/2001/18

General Assembly

Distr.: General
30 May 2001

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

East Timor

Working paper prepared by the Secretariat

Contents

		Paragraphs	Page
I.	Background information	1–3	2
II.	Transition to independence	4–29	2
	A. General	4–6	2
	B. Political institutions	7–11	2
	C. Public administration	12–17	3
	D. Economic sustainability and humanitarian activities	18–23	4
	E. Security and the question of refugees	24–29	5
III.	Action by the General Assembly	30–36	6
	A. Consideration by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	30–35	6
	B. Consideration by the General Assembly	36	7
IV.	Action by the Security Council	37–38	7
Annex			
	Relevant General Assembly and Security Council documents on East Timor during the period covered in the present working paper		11

01-39014 (E) 260601

I. Background information

1. The Territory of East Timor comprises the eastern part of the island of Timor, which is located at the extreme tip of the Nusa Tenggara archipelago, some nine degrees south of the Equator; the enclave of Ocusse Ambeno, situated in West Timor some 120 kilometres west of the East Timor-West Timor border; the island of Atauro, off the northern coast of East Timor; and the island of Jaco, off its extreme eastern tip. The total area of East Timor is about 14,876 square kilometres.

2. Geographically, the terrain of East Timor is rugged, with high mountains rising abruptly from the sea along the northern coast. A central range of mountains creates a watershed, with rivers running north and south. The southern coastal plain is generally wide, with swampy areas at the river mouths and deltas.

3. The climate of East Timor is tropical. Two seasons may be distinguished: a dry one lasting from May to November and a rainy season from December to April, during which, under the influence of the north-west monsoon, violent downpours frequently occur, making certain areas, especially in the mountainous interior, inaccessible by land.

II. Transition to independence[1]

A. General

4. The question of East Timor has been considered by the Special Committee on decolonization since that Committee's establishment in 1961. The Territory was under Portuguese administration until 1975, when Portugal withdrew from East Timor and the Territory was annexed by Indonesia. By its resolution 32/34 of 28 November 1977, the General Assembly rejected the claim that East Timor had been integrated with Indonesia inasmuch as the people of the Territory had not been able to exercise freely their right to self-determination. Consequently the Territory continued to be examined by the Special Committee as a Non-Self-Governing Territory.

5. On 5 May 1999, the Governments of Indonesia and Portugal signed an agreement entrusting the Secretary-General with the organization and conduct of a popular consultation for the purpose of ascertaining whether the East Timorese people would accept or reject a proposed constitutional framework providing for special autonomy for East Timor within the unitary Republic of Indonesia (see A/53/951-S/1999/513). The popular consultation was held on 30 August 1999, and 78.5 per cent voted to reject the framework for autonomy, opening the way for independence (see A/AC.109/2000/12, paras. 20-24).

6. On 25 October 1999, by resolution 1272 (1999), the Security Council, acting under Chapter VII of the Charter of the United Nations, established the United Nations Transitional Authority in East Timor (UNTAET), which was endowed with overall responsibility for the administration of the Territory until it attained independence. According to the Secretary-General, the objective of UNTAET was to provide the East Timorese with a sound platform for governing their country once independence was achieved. The key tasks were: to ensure security during the transitional period and arrangements for East Timor's post-independence security; to establish a credible system of justice in which fundamental human rights are respected; to achieve a reasonable level of reconstruction of public services and infrastructure; to establish an administration that is financially sustainable; and to manage a political transition to independence, culminating in the adoption of a constitution and democratic elections (see S/2000/738, para. 68).

B. Political institutions

7. In his report to the Security Council on 16 January 2001 (S/2001/42), the Secretary-General noted that a consensus had emerged among East Timorese leaders to seek independence by the end of 2001. Broad public consultations beginning in December 2000 had led to an agreement on a two-phased approach: in phase one, a nationwide consultation and decisions regarding the electoral modalities and the composition of the Constituent Assembly would take place; in phase two, the Constituent Assembly would draft a constitution. The modalities for its adoption, whether by the Assembly itself or by referendum, were still under discussion. The Constituent Assembly was expected to become the first legislature of the independent State.

8. On 16 March 2001, the regulation on the election of the Constituent Assembly was promulgated and civil

registration of all residents began. By early May, 200,000 inhabitants had been registered. Registration must be completed by 20 June in order for elections to be held on 30 August. The Constituent Assembly has 90 days to complete the constitution, after which the probable date of independence will become clearer (see S/2001/436, paras. 2-7).

9. Another key political development concerned the emergence of political parties. This occurred both as a result of deliberate policy by UNTAET and as a natural response by Timorese leaders to the new political environment. The question was complicated, however, by East Timor's historical legacy. As the Secretary-General stated, "In the light of the events of 1975, the East Timorese tend to associate political party activity with violence" (see S/2001/42, para. 7). When UNTAET was established, most political activity took place under the umbrella of the National Council of Timorese Resistance (CNRT), a coalition of pro-independence parties. During the period under review, the CNRT parties became increasingly active as separate entities, and new political organizations began to emerge as well (see S/2001/42, para. 6).

10. In order for the scheduled transition to independence (see paras. 7-8 above) to take place as planned, the drafting of a regulation on political parties was necessary. On 28 November 2000, the Special Representative of the Secretary General to East Timor and Transitional Administrator, Sergio Vieira de Mello, stated that the Cabinet had begun deliberations on a draft regulation on political parties (see S/PV.4203). The regulation was adopted as part of the omnibus regulation on the election of the Constituent Assembly in March 2001 (see para. 8 above).

11. According to the Secretary-General, by early 2001, political parties had begun to establish district and subdistrict offices, build their membership and prepare for national congresses to adopt platforms and select candidates (see S/2001/436, para. 7). While the development of political parties is considered to be a welcome and necessary part of East Timor's preparation for self-government, there were some worries that competition between parties might lead to violence (see S/2001/42, para. 7). Overall, however, the intensification of political activity among East Timor's leaders was seen by UNTAET as a normal and desirable part of the transition to multiparty democracy (see S/PV.4203).

C. Public administration

12. UNTAET essentially faced many challenges with regard to public administration, among which was, first, the rapid establishment of a functioning administrative apparatus within a context of decimated human and material infrastructure, and second, moving East Timorese into positions of responsibility as soon and as much as possible to create a sustainable East Timorese administration ("Timorization"). Throughout the period under review, UNTAET has continued to build the foundations of governance, including a legal framework, a central financial capacity and a civil service structure. This has been done with a view to transferring administrative functions to a sustainable East Timorese administration (S/2000/738, para. 18).

13. The question of "Timorization" has been a priority for UNTAET as the capacity of the East Timorese to govern themselves constitutes both the philosophical and practical bases of independence. In July 2000, UNTAET created the National Council. This 33-member body (later increased to 36 members) replaced the 15-member National Consultative Council that had been established in December 1999. The expanded National Council was designed to facilitate broader representation in decision-making. Its members are appointed by the Transitional Administrator according to requirements that ensure all regions and the most important civil society groups are represented. At the same time, UNTAET reorganized itself to increase the direct participation of the East Timorese and their share of political responsibility. A Cabinet of eight portfolios was created, four of which were entrusted to East Timorese and four to senior UNTAET officers. The Cabinet is chaired by the Special Representative of the Secretary-General (see S/2000/738, para. 3). In his report to the Security Council in January 2001, the Secretary-General said that East Timorese occupied five of nine cabinet portfolios,[2] namely foreign affairs, internal administration, infrastructure, economic affairs and social affairs (see S/2001/42, para. 16). This combination of National Council and Cabinet, promulgated formally on 7 August 2000, is known as the East Timor Transitional Administration.

14. The process of Timorization was to extend through all levels of the administration. In September 2000, the Special Representative of the Secretary-General reported to the Security Council that he had

appointed East Timorese District or Deputy District administrators in all 13 districts of the Territory and had recruited 5,400 civil servants our of the total 10,000 budgeted (see S/PV.4203). By January 2001, 7,000 of these posts had been filled (see S/2001/42, para. 17).

15. A major obstacle to Timorization has been the low level of capacity among East Timorese themselves. UNTAET, in cooperation with specialized agencies and bilateral partners, has been working to train civil service officers and other public officials. In May 2000, the Civil Service Academy was inaugurated. The United Nations Development Programme (UNDP) and UNTAET are preparing a comprehensive $30 million capacity-building project in governance and administration. During the second half of 2000, UNDP and Portugal's National Institute of Public Administration planned to provide courses for 210 East Timorese political leaders in globalization, constitutional issues, project development and implementation, and ethics. UNTAET and donors have also established a diplomatic training course (see S/2000/738, para. 19) and the first 50 students completed their final phase of training in the fall of 2000 (see S/PV.4191).

16. By September 2000, the East Timor Transitional Administration Cabinet had agreed to a framework for taxation, a criminal procedure code, a public buildings reconstruction plan, the reopening of the University of East Timor and a plan to develop legislation for the transport sector. The Cabinet was working on a budget review and on land ownership issues, as conflicting land claims have impeded development (see S/2000/738, para. 28), but subsequently decided to defer final decision on claims until after independence. The Cabinet had also approved East Timor's negotiating position with regard to the Timor Gap Treaty (see para. 22 below) in anticipation of formal talks with Australia, the other signatory to the treaty (see S/PV.4203).

17. According to the Assistant Secretary-General for Peacekeeping Operations, an important milestone in the transition of public administration towards independence was the creation of the East Timor Consolidated Budget in July 2000. This budget was administered and executed separately from that of UNTAET by the East Timor Transitional Administration. On the revenue side, by the end of August the Border Service had already collected a total of $3 million in customs and duties. On 15 August, the East Timor Revenue Service began to collect tax revenues. Both developments constitute important early steps towards fiscal autonomy (see S/PV.4191).

D. Economic sustainability and humanitarian activities

18. Following the popular consultation, East Timor confronted a host of challenges typical to post-conflict economies. They included a devastated infrastructure, lack of trained civil servants, lack of a reliable tax base and deficient institutions. A further economic challenge is the delicate process of linking the anticipated withdrawal of external assistance to the hoped-for increase in private sector economic activity. If assistance is withdrawn too soon, the economy may collapse, provoking social unrest; if it is maintained for too long, the economy may develop in a manner deformed by a dependence on foreign aid.

19. With regard to the rehabilitation of East Timor's devastated infrastructure, the Secretary-General reported in January 2001 that significant progress had been made in repairing the infrastructure, though the pace of those repairs had disappointed East Timorese expectations. Particular attention has been paid to the repair of the airport and seaport, the restoration of the telephone exchange, power stations and the water system (see S/2001/42, paras. 28-30). During its mission to East Timor in November 2000, the Security Council acknowledged the important rehabilitation of the infrastructure that had taken place in Dili, but noted that overall the devastation in East Timor remained significant. Of particular concern to the Council was the uneven state of rehabilitation of roads, buildings and the power supply, and the fact that there was insufficient reconstruction progress outside of Dili (see S/2000/1105, para. 13).

20. The challenge of restoring the economy is immense, and so far macroeconomic indicators show a mixed success. The gross domestic product was reported to have grown by an estimated 15 per cent in 2000, and crop production reached over 70 per cent of the pre-September 1999 levels. Under programmes administered by the World Bank and the Asian Development Bank, over $35 million has been disbursed for projects in agriculture, education, road construction and water supply, with an emphasis on projects that are heavily dependent on local labour and

inputs (S/2001/436, paras. 8 and 9). Quick impact and temporary employment projects have created over 35,000 short-term jobs for the Timorese (see S/PV.4191). The World Bank has also administered the Small Loans Enterprise Programme that will lend up to $10 million over 2000 and 2001 to assist in the rapid rehabilitation of small businesses, and UNTAET has established an Investment Promotion Unit to assist foreign investors (S/2000/738, para. 26).

21. Despite these efforts, significant problems remain. Most importantly, there is substantial unemployment in East Timor, reported at 80 per cent in April 2001 (see S/PV.4308), and business development is uneven. Much of the economic growth has occurred in Dili, in service sector enterprises and in trade and construction related to donor-funded reconstruction programmes. The eventual reduction in the number of international personnel based in East Timor will have a negative impact on employment with consequent risks to political stability. The development of a locally sustainable private sector is crucial to East Timor's economic development, and the future Government will need to quickly establish incentives for long-term investment (see S/2001/436, paras. 8 and 10.)

22. East Timor's main natural resources are the oil and gas in the Timor Sea. The income derived from these sources will be a major factor in the development of the future state and the fiscal sustainability of its Government. In February 2000, to ensure the continued and smooth commercial development of the Timor Gap, UNTAET signed a memorandum of understanding with Australia in which UNTAET, on behalf of East Timor, agreed to continue the terms of the Treaty between Australia and the Republic of Indoensia on the Zone of Cooperation in an Area between the Indonesian Province of East Timor and Northern Australia (Timor Gap Treaty). This was without prejudice to the position of the future Government of an independent East Timor (S/2000/738, para. 23). Several rounds of negotiations with Australia have taken place, and an agreement is expected to be reached for ratification by the future Government of East Timor.

23. Humanitarian activities to address the needs of the most vulnerable communities were maintained during the period under review. Although the humanitarian assistance and emergency relief component of UNTAET was formally closed in December 2000, its services continue under the auspices of the development-oriented offices of the East Timor Transitional Administration and with the assistance of the international community. In January 2001, the Secretary-General reported that food assistance provided by the World Food Programme continued to reach approximately 180,000 people. Food assistance is not considered to be a long-term solution for the Territory, which has the potential for agricultural self-sufficiency, but is a necessary short-term bridge while the vital agricultural infrastructure is rehabilitated (S/2001/42, para. 40). In the meantime, a number of development-oriented rehabilitation projects are being undertaken throughout the Territory in the health, education and infrastructure sectors (S/2001/42, paras. 28-32). In his report to the General Assembly in September 2000, the Secretary-General noted that the rapid and generous response of donors to East Timorese needs after September 1999 had allowed the humanitarian community to provide the necessary assistance at an early enough stage to prevent the physical deterioration of beneficiaries. This has contributed to the avoidance of a dependency cycle. All humanitarian partners have acknowledged that the focus must be on rehabilitation and development, while continuing to address residual humanitarian concerns (see A/55/418, para. 60).

E. Security and the question of refugees

24. In paragraph 2 (a) of resolution 1272 (1999), the Security Council mandates UNTAET to "provide security and maintain law and order throughout the Territory of East Timor". UNTAET commenced work to re-establish a justice system, with the Dili courthouse holding its first hearings in May 2000, three other district courts opening soon thereafter, and travelling judges and prosecutors hearing cases in other districts (see S/2000/738, para. 42). By January 2001, the East Timor justice system was investigating 180 cases and had settled 240 cases through court-brokered mediation. On-the-job training was being provided for 25 East Timorese judges, 13 prosecutors, 8 public defenders, 25 court clerks and 131 prison officers. In addition, a Serious Crimes Investigation Unit was established to focus on crimes committed in September 1999, in cooperation with the Government of Indonesia (see S/2001/42, paras. 23-25). Progress has been impeded by the fact that UNTAET has not yet received access to evidence and witnesses provided for in the

memorandum of understanding with Indonesia concluded on 6 April 2000 (see S/2001/436, para. 18).

25. There has been a general improvement in public safety following the establishment of a Police Service, a Police Training College and a Rapid Reaction Unit. Civilian police deployment in the last half of 2000 rose from 1,330 to 1,439 officers. A total of 350 officers have graduated from the Training College. At the same time, systems of traditional justice, mediated through local law and order committees, continue to play an important role in settling minor crimes (see S/2001/42, para. 27). The full force of 3,000 Timorese civilian police is expected to be achieved by April 2003 (see S/PV.4308).

26. Nonetheless, important problems remain in terms of both internal and external security with regard to militia operations, particularly in West Timor. These groups oppose East Timor's independence.

27. In July 2000, UNTAET established a Joint Border Committee with the Government of Indonesia to address issues related to security on the border between East and West Timor (see S/2000/738, para. 11). Nonetheless, border incursions continued and militia activities resulted in the deaths of two UNTAET peacekeepers in July and August 2000, and the murder of three staff members of the Office of the United Nations High Commissioner for Refugees in West Timor in a brutal attack on 6 September 2000. Furthermore, militia activities impede the repatriation of thousands — up to 100,000 according to some estimates — of East Timorese currently in refugee camps in West Timor and cause the temporary dislocation of many others inside East Timor (see S/PV.4308). In September 2000, the United Nations effectuated Security Phase V in West Timor, requiring the evacuation of all international staff, a status that remains in effect.

28. Responding to the seriousness of the situation, the Security Council on 8 September 2000, adopted resolution 1319 (2000), in which it, inter alia, insisted that the Government of Indonesia take additional steps to disarm and disband the militia and that the Government ensure safety and security in the refugee camps. On 6 December, the President of the Council made a statement on its behalf (S/PRST/2000/39) calling on the Government of Indonesia to take decisive action to put an end to the activities of the militia. The Secretary-General noted a decrease in such activities following the launching of operations that brought pressure to bear on the militia (see S/2001/42, paras. 10 and 11), but also considered that the Government of Indonesia had not yet implemented all the measures called for by the Security Council in resolution 1319 (2000).

29. Owing to the ongoing security risks, in August 2000 UNTAET decided it was premature to reduce the number of troops in its military component, as was planned. The military component continues to be at full force. In addition, the Secretary-General reported in July 2000 that CNRT had altered its previous position regarding the establishment of an East Timor Defence Force, deciding that such a force would be necessary. In September 2000, the Cabinet decided to establish the East Timor Defence Force as a light infantry force of 1,500 regular soldiers and 1,500 reservists, drawn initially from the Armed Forces for the National Liberation of East Timor (FALINTIL), the former guerrilla force. Some 500 to 800 recruits are to be trained in 2001, so one battalion will have completed basic training by the time of independence (see S/2001/42, para. 22).

III. Action by the General Assembly

A. Consideration by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

30. The Special Committee considered the question of East Timor at its 6th meeting, on 5 July 2000.

31. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2000/12). It also took into account the reports of the Secretary-General on the situation in East Timor (S/2000/53 and Add.1) and the briefing on the situation in East Timor to the Security Council at its 4165th meeting, on 27 June 2000, by Sergio Vieira de Mello, Special Representative of the Secretary-General and Transitional Administrator for East Timor (see S/PV.4165).

32. At the 6th meeting, on 5 July 2000, the Acting Chairman informed the Special Committee that the delegation of Portugal had requested to participate in the Special Committee's consideration of the question. The Special Committee decided to accede to the request (see A/AC.109/2000/SR.6).

33. At the same meeting, the representative of Portugal made a statement (see A/AC.109/2000/SR.6).

34. In accordance with decisions taken at the 5th meeting on 5 July 2000, the Special Committee granted requests for hearing from the following petitioners and heard their statements at the 6th meeting: Charles Scheiner, International Federation for East Timor; Brother Ignacio Harding, on behalf of the Catholic Institute for International Relations; Frank Fitzgerald, on behalf of the Commission for the Rights of Maubere People; Vanessa Ramos, on behalf of the International Platform of Jurists for East Timor; Augusto Miclat, Jr., Asia-Pacific Coalition for East Timor; Vivek Ananthan, Volunteers for International Solidarity; Adam Minson, on behalf of the Swedish East Timor Committee; Ricardo Castanheira, Member, Socialist Party, Portugal; Natalia Carrascalao, Member, Social Democratic Party, Portugal; Miguel Anacoreta Correia, Member, Popular Party, Portugal; Bernardino Soares, Member, Communist Party, Portugal; and John Miller, East Timor Action Network/United States (see A/AC.109/2000/SR.6).

35. At the same meeting, the representative of Indonesia made a statement (see A/AC.109/2000/SR.6).

B. Consideration by the General Assembly

36. At its 86th plenary meeting, on 19 December 2000, the General Assembly decided to defer consideration of the item entitled "The situation in East Timor during its transition to independence" and to include it in the provisional agenda of its fifty-sixth session.

IV. Action by the Security Council

37. On 8 September 2000, at its 4195th meeting, the Security Council adopted resolution 1319 (2000) on the situation in East Timor, the text of which reads as follows:

The Security Council,

Recalling its previous resolutions and the statements of its President on the situation in East Timor, in particular the statement of its President of 3 August 2000 (S/PRST/2000/26) in which it expressed profound concern at the continuing presence of large numbers of refugees from East Timor in camps in West Timor, at the continuing presence of militia in the camps and at their intimidation of refugees and staff of the United Nations High Commissioner for Refugees (UNHCR),

Appalled by the brutal murder of three United Nations personnel killed on 6 September 2000 by a militia-led mob, and *supporting* the statement on this subject made by the Secretary-General at the outset of the Millennium Summit and the expressions of concern by several Heads of State and Government during the Summit proceedings (A/55/PV.6),

Condemning this outrageous and contemptible act against unarmed international staff who were in West Timor to help the refugees and, *reiterating* its condemnation of the murder of two United Nations Transitional Administration in East Timor (UNTAET) peacekeepers and attacks on the United Nations presence in East Timor,

Recalling that the declaration of the Security Council Summit, at the level of Heads of State and Government (resolution 1318 (2000) of 7 September 2000), included specific reference to the need for effective measures for the safety and security of United Nations personnel,

Expressing its outrage at the reported attacks in Betun, West Timor on 7 September 2000, in which a number of refugees reportedly have been killed,

Welcoming the letter of the President of Indonesia to the Secretary-General on 7 September 2000 in which he expressed outrage at the killing of the UNHCR staff and stated his intention to conduct a full-scale investigation and to take firm measures against those found guilty,

1. *Insists* that the Government of Indonesia take immediate additional steps, in fulfilment of its responsibilities, to disarm and disband the militia immediately, restore law and order in the affected areas in West Timor, ensure safety and security in the refugee camps and for humanitarian workers, and prevent cross-border incursions into East Timor;

2. *Stresses* that those responsible for the attacks on international personnel in West and East Timor must be brought to justice;

3. *Recalls* in this regard the letter of 18 February 2000 from the President of the Security Council to the Secretary-General (S/2000/137) in which it was noted that grave violations of international humanitarian and human rights law have been committed and that those responsible for these violations should be brought to justice, and *reiterates* its belief that the United Nations has a role to play in the process in order to safeguard the rights of the people of East Timor;

4. *Calls* on the Indonesian authorities to take immediate and effective measures to ensure the safe return of refugees who choose to go back to East Timor, and *stresses* the need for parallel programmes to resettle individuals who choose not to return;

5. *Notes* that the Government of Indonesia has decided to deploy additional troops to West Timor to improve the serious security situation, but *stresses* that UNHCR workers cannot return to West Timor until there is a credible security guarantee, including real progress towards disarming and disbanding the militias;

6. *Underlines* that UNTAET should respond robustly to the militia threat in East Timor, consistent with its resolution 1272 (1999) of 22 October 1999;

7. *Requests* the Secretary-General to report to the Security Council within a week of the adoption of this resolution on the situation on the ground;

8. *Decides* to remain seized of the matter.

38. On 31 January 2001, at its 4268th meeting, the Security Council adopted resolution 1338 (2001) on the situation in East Timor, the text of which reads as follows:

The Security Council,

Reaffirming its previous resolutions on the situation in East Timor, in particular resolutions 1272 (1999) of 25 October 1999 and 1319 (2000) of 8 September 2000, and the relevant statements of its President, in particular those of 3 August 2000 (S/PRST/2000/26) and of 6 December 2000 (S/PRST/2000/39),

Having considered the report of the Secretary-General of 16 January 2001 (S/2001/42),

Commending the work of the United Nations Transitional Administration in East Timor (UNTAET) and the leadership of the Special Representative of the Secretary-General,

Expressing support for the steps taken by UNTAET to strengthen the involvement and direct participation of the East Timorese people in the administration of their territory, and *urging* further measures to delegate authority to the East Timorese people as an essential part of the transition to independence,

Encouraging efforts to achieve the goal of independence for East Timor by the end of 2001, as set out in paragraphs 4 and 50 of the report of the Secretary-General, and *acknowledging* that it is the responsibility of UNTAET to ensure free and fair elections in collaboration with the East Timorese people,

Reiterating its endorsement of the recommendations contained in the report of the Security Council Mission to East Timor and Indonesia (S/2000/1105) of 21 November 2000, in particular the view of the Mission that a strong international commitment will be required in East Timor after independence,

Underlining its concern at the continued presence of large numbers of refugees from East Timor in the camps in the province of East Nusa Tenggara (West Timor), and at the security situation there, particularly as it relates to militia activity and the effect on refugees, and *stressing* the need to find a comprehensive solution to the problem,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994, and emphasizing the need to take further steps to ensure the safety and security of international personnel in East Timor and Indonesia, in view of the dangers faced,

Welcoming and encouraging efforts by the United Nations to sensitize international personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Emphasizing the need for continued international financial support to East Timor, and urging all those who have made pledges to the Trust Fund for East Timor to make their contributions expeditiously,

1. *Welcomes* the report of the Secretary-General of 16 January 2001;

2. *Decides* to extend the current mandate of UNTAET until 31 January 2002, bearing in mind the possible need for adjustments related to the independence timetable;

3. *Requests* the Special Representative of the Secretary-General to continue to take steps to delegate progressively further authority within the East Timor Transitional Administration (ETTA) to the East Timorese people until authority is fully transferred to the government of an independent State of East Timor, as set out in the report of the Secretary-General;

4. *Encourages* UNTAET, bearing in mind the need to support capacity-building for self-government, to continue to support fully the transition to independence, including through development and training for the East Timorese people;

5. *Calls upon* the international financial institutions, the United Nations funds and programmes and bilateral donors who have committed resources to East Timor to fulfil their commitments and to accelerate disbursements, in particular in areas relevant to peace-building and development assistance, and *reaffirms* in this regard the continued need for effective coordination of development assistance to East Timor;

6. *Urges* the international community to provide financial and technical assistance to the creation of an East Timor Defence Force, and *encourages and welcomes* the coordinating role of UNTAET in this endeavour;

7. *Underlines* that UNTAET should respond robustly to the militia threat in East Timor, consistent with its resolution 1272 (1999);

8. *Emphasizes* the need, in the light of the recommendations in the report of the Security Council Mission, for measures to address shortcomings in the administration of justice in East Timor, particularly with a view to bringing to justice those responsible for serious crimes in 1999, and for urgent action to expedite the training of the Timor Lorosae Police Service and to attract sufficient resources to develop this police service and the judicial system;

9. *Encourages* the Government of Indonesia, while acknowledging their efforts so far, to continue to take steps, in cooperation with UNTAET and relevant international agencies, in accordance with its resolution 1319 (2000) and the relevant recommendations in the statement of its President of 6 December 2000;

10. *Requests* the Secretary-General to submit to the Security Council by 30 April 2001 a report on the implementation of the mandate of UNTAET, which should include in particular military and political assessments of the situation on the ground and their implications for the size, structure and deployment of UNTAET, and *expresses* its intention to take appropriate steps on the basis of this report expeditiously, taking into account the views of troop-contributing countries;

11. *Stresses* the need for a substantial international presence in East Timor after independence, and *requests* the Secretary-General to make detailed recommendations in this regard to the Council within six months of the adoption of this resolution, which should be developed in close consultation with the East Timorese people and in coordination with other relevant international and bilateral actors, in particular the international financial institutions and the United Nations funds and programmes;

12. *Decides* to remain actively seized of the matter.

Notes

[1] The present report has been derived from records of oral briefings to the Security Council on the work of UNTAET (S/PV.4191, S/PV.4203, S/PV.4236, and S/PV.4308), reports of the Secretary-General to the Council (S/2000/738, S/2001/42, and S/2001/436), the report of the Security Council Mission to East Timor and Indonesia (S/2000/1105) and the report of the Secretary-General to the General Assembly on humanitarian relief, rehabilitation and development for East Timor (A/55/418).

[2] Note that the addition of a foreign affairs position brought the total number of Cabinet positions to nine.

Annex

Relevant General Assembly and Security Council documents on East Timor during the period covered in the present working paper

Symbol	*Title*
General Assembly documents	
A/55/418	Humanitarian relief, rehabilitation and development for East Timor
A/55/443	Financing of the United Nations Transitional Administration in East Timor
A/55/446	Letter dated 3 October 2000 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General
A/55/531	Financing of the United Nations Transitional Administration in East Timor
A/55/626	Identical letters dated 13 November 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Indonesia to the United Nations addressed to the Secretary-General and the President of the Security Council
A/55/664	Financing of the United Nations Transitional Administration in East Timor
Resolutions	
55/172	Assistance for humanitarian relief, rehabilitation and development for East Timor
55/228	Financing of the United Nations Transitional Administration in East Timor
Security Council documents	
S/PRST/2000/26	Statement by the President of the Security Council
S/PRST/2000/39	Statement by the President of the Security Council
S/2000/236	Letter dated 21 March 2000 from the Secretary-General addressed to the President of the Security Council
S/2000/450	Letter dated 18 May 2000 from the Secretary-General addressed to the President of the Security Council
S/2000/451	Letter dated 18 May 2000 from the President of the Security Council addressed to the Secretary-General
S/2000/671	Letter dated 7 July 2000 from the Secretary-General addressed to the President of the Security Council
S/2000/672	Letter dated 10 July 2000 from the President of the Security Council addressed to the Secretary-General
S/2000/738	Report of the Secretary-General on the United Nations Transitional Administration in East Timor
S/2000/911	Letter dated 22 September from the Permanent Representative of France to the United Nations addressed to the Secretary-General
S/2000/889	Letter dated 18 September 2000 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

Symbol	*Title*
S/2000/899	Letter dated 25 September 2000 from the Permanent Representative of Indonesia to the United Nations addressed to the President of the Security Council
S/2000/901	Letter dated 26 September 2000 from the Permanent Representative of Indonesia to the United Nations addressed to the President of the Security Council
S/2000/902	Note verbale dated 26 September 2000 from the Permanent Mission of Indonesia to the United Nations addressed to the President of the Security Council
S/2000/922	Letter dated 29 September 2000 from the Permanent Representative of Indonesia to the United Nations addressed to the President of the Security Council
S/2000/949	Letter dated 3 October 2000 from the Permanent Representative of Indonesia to the United Nations addressed to the President of the Security Council
S/2000/955	Letter dated 4 October 2000 from the Permanent Representative of Indonesia to the United Nations addressed to the President of the Security Council
S/2000/1030	Letter dated 25 October 2000 from the President of the Security Council addressed to the Secretary-General
S/2000/1090	Identical letters dated 13 November 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Indonesia to the United Nations addressed to the Secretary-General and the President of the Security Council
S/2000/1105	Report of the Security Council Mission to East Timor and Indonesia
S/2000/1125	Letter dated 27 November 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Indonesia to the United Nations addressed to the President of the Security Council
S/2001/42	Report of the Secretary-General on the United Nations Transitional Administration in East Timor (for the period 27 July 2000 to 16 January 2001)
S/2001/436	Interim report of the Secretary-General on the United Nations Transitional Administration in East Timor
Resolutions	
1319 (2000)	Security Council resolution on the situation in East Timor
1338 (2001)	Security Council resolution on the situation in East Timor